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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/565,931

01/20/2006

Mattheus Jacobus Van Der Meer

NL 030914

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10/08/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

DEFRANK, JOSEPH S

ART UNIT

PAPER NUMBER

3724

MAIL DATE

DELIVERY MODE

10/08/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/565,931

Applicant(s)

VAN DER MEER, MATTHEUS  
JACOBUS

Examiner

JOSEPH DEFRANK

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in communication with the amendment filed on 7/17/08. Claims 1-3 and 5 are pending.

#### ***Drawings***

2. The drawings were received on 7/17/08. These drawings are acceptable.

#### ***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (Us 5,577,324; as previously cited) in view of Futterer et al. (US 3,213,536; as previously cited; hereafter, Futterer).

5. With respect to claims 1-3, Tanaka discloses a shaving apparatus (10) comprising: at least one shaving head (37) comprising at least one cutter (42); a trimmer (72); and a drive structure comprising a motor (16) and a transmission structure (gearing in figure 1 and driving lever 82) for driving the at least one cutter (42) and the trimmer (72); the trimmer (72) being disengageable from the drive structure (see column 8 line 35 through column 9 line 3; in down position, drive lever 82 is not in contact with the motor). Tanaka does not disclose the trimmer (72 being disengageable characterized by reversing means for reversing at least a portion of the drive structure between a first sense of rotation and a second, opposite sense of rotation, through switching circuitry, in response to an action of putting said trimmer into and out of operation; and a unidirectional clutch between at least said portion of the drive structure

of which the sense of rotation is reversible and the at least one cutter.

Futterer discloses a shaving apparatus comprising: at least one shaving head (16) comprising at least one cutter (41''); a trimmer (15); and a drive structure comprising a motor (27) and a transmission structure (see figures 1-3) for driving the at least one cutter (41'') and the trimmer (15); the trimmer (15) being disengageable from the drive structure; characterized by reversing means (switch 28) for reversing at least a portion of the drive structure between a first sense of rotation and a second, through switching the circuitry (polarity of the current), opposite sense of rotation, in response to an action of putting said trimmer into and out of operation (through switch 28); and a unidirectional clutch (figure 3) between at least said portion of the drive structure of which the sense of rotation is reversible and the at least one cutter (41''). Futterer essentially teaches that it is known in the art to provide a transmission assembly that selectively drives a shaver when the motor is running in one rotational direction and selectively drive the trimmer when the polarity of the motor is reversed and the motor is rotating in the opposite direction. This type of transmission is used to reduce energy consumption and to reduce unnecessary wear on the blades not being used (column 1, lines 46-70). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a transmission assembly allowing for selectively operating either the trimmer or the cutter by reversing the polarity of the current to the motor and polarity reversing switch to the shaver of Tanaka in order to selectively operate the cutter or the trimmer to save energy and reduce wear in view of the teachings of Futterer.

It is noted that Tanaka already discloses the top cutter running off of a gear reduction (which slows the cutter down with respect to the original motor rotational speed; see figure 1 with gears 18c and 20) and the trimmer oscillating with respect to the motor rotation (column 9, lines 1-3). Thus, the number of revolutions per unit time of the cutter is higher than the number of revolutions (oscillations) per unit time of the trimmer. There is no reason that this would change in the modification of the transmission assembly.

6. With respect to claim 5, Tanaka discloses a portion of the transmission structure for driving the trimmer branches off from a portion of the transmission structure for driving the cutters at a shaft coupled to be directly driven by the motor. The motor is coupled to the driving lever (82) through a linkage system, and thus a portion of the transmission structure branches off away from the main transmission structure.

### ***Response to Arguments***

7. Applicant's arguments filed with respect to new independent claim 1 (prior claim 1 including the limitations of claim 4) have been fully considered but they are not persuasive. Applicant argues that "Tanaka does not even disclose or suggest reversing rotation of anything," and the feature of driving the trimmer at a higher RPM than the cutter is "nowhere disclosed or suggested in Futterer, Tanaka, and combination thereof." Tanaka clearly discloses the cutters being driven at a lower RPM than the trimmer as claimed through the use of the gear reduction assembly (as shown best in figure 1 by gears 18c and 20). Examiner agrees that Tanaka does not disclose any such reversing of rotation. The transmission assembly of Tanaka, when the trimmer is

extended, drives both the cutters and the trimmer simultaneously. However, the transmission assembly of Futterer teaches the use of a bi-directional transmission which selectively drives either the cutter or the trimmer, and thus reduces wear and saves energy (Futterer column 1, lines 46-70). This is the basis of the combination. All the claimed elements are taught by the combination of Tanaka in view of Futterer and the rejection is deemed proper.

Applicant also argues that the "Geraloulis, Hwang, alone or in combination, do not teach or suggest the present invention as recited." Examiner hasn't relied on any references of "Geraloulis" or "Hwang," so this argument, although possibly true, is irrelevant.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH DEFRANK whose telephone number is (571)270-3512. The examiner can normally be reached on Monday - Thursday; 9am-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason Daniel Prone/  
Primary Examiner, Art Unit 3724

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